Application No.: 10/588,612 Docket No.: 247322003700

REMARKS

The Notice of Non-Compliant Amendment states that the amendment document filed on

May 17, 2010 is considered non-compliant for failing to meet the requirements of 37 C.F.R. §1.121

in that claims 6 and 7 did not provide the proper status identifier. The notice further states that only

the section of the amendment containing the non-compliant provision must be resubmitted.

Accordingly, the "Amendments to the Claims" section of the amendment filed on May 17, 2010 is

presented herein for consideration.

In view of the above, each of the presently pending claims in this application is

believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully

requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If

it is determined that a telephone conference would expedite the prosecution of this application, the

Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or

other relief is required, applicant petitions for any required relief including extensions of time and

authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection

with the filing of this document to **Deposit Account No. 03-1952** referencing docket

No. 247322003700. However, the Commissioner is not authorized to charge the cost of the issue

fee to the Deposit Account.

Respectfully submitted,

Dated: May 28, 2010

By: / Michael G. Smith /

Michael G. Smith

Registration No.: 44,422

MORRISON & FOERSTER LLP

12531 High Bluff Drive, Suite 100

San Diego, California 92130-2040

(858) 720-5113

sd-519804 14